

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

CIVIL NO. 1:05CV390  
(1:98CR219-10)

THOMAS LOWELL EPPS, )  
 )  
 Petitioner, )  
 )  
 Vs. )  
 )  
 UNITED STATES OF AMERICA, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

ORDER OF DISMISSAL

**THIS MATTER** is before the Court on the Petitioner's motion for a writ of *habeas corpus* pursuant to 28 U.S.C. § 2241.

The Petitioner is currently incarcerated at the Federal Correctional Facility at Seymour Johnson Air Force Base in Goldsboro, North Carolina. He advises that he will shortly be transferred to a federal correctional facility in Kentucky. Petitions for writs of *habeas corpus* must be filed in the district of confinement. *Rumsfeld v. Padilla*, 542 U.S. 426 (2004); *United States v. Little*, 392 F.3d 671 (4<sup>th</sup> Cir. 2004). Therefore, the undersigned may not entertain this petition.

**IT IS, THEREFORE, ORDERED** that the Petitioner's motion for a writ of *habeas corpus* pursuant to 28 U.S.C. § 2241 is hereby **DISMISSED**.

**Signed: December 30, 2005**

A handwritten signature in black ink, appearing to read 'LH Thornburg', written over a horizontal line.

Lacy H. Thornburg  
United States District Judge

